

City of Taylorsville  
Planning Commission Meeting  
Minutes  
Tuesday – February 14, 2006 – 7:00 P.M.  
2600 West Taylorsville Blvd – Council Chambers

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**Attendance:**

**Planning Commission**

Kristie Overson, Chair  
Ted Jensen  
Scott Bolton  
Blaine Smith  
Dama Barbour

**Excused:** Robert Daniels, Angelo Calacino,  
Joan Rushton-Carlson

**Community Development Staff**

Mark McGrath, Director  
Michael Maloy, City Planner  
Dan Udall, City Planner  
Nick Norris, City Planner  
Jean Gallegos, Admin Asst/Recorder

**PUBLIC:** Paul Kelley, Mavis, Kelley, Ronald M. Cameron, Linda Perry, Loyal Perry, Day Gold, Ruth Westerfield, Judy Westerfield, Cindy Sprouse, Ben Booth, Susan Booth, Denny Stapley, Christine Stapley, Don A. Bollard, Teddie Bollard, Barbara Hintle, Jim Binns, Del Phillips, Gustave Gaza, D. Bell, Jeff Swain, Doug Spencer, Therm Kingsley, Linda Wirt, Abel Schyszen, Gorik Sekepyan, Michael C. Gladbach, Bob Bedont, Florence Bedont, Spring Greenberg, Ann Calder, Brent Calder, Scott Niemeyer, Ruth Niemeyer, Connie Tafoya, Duff Olson, Debbie Olson, Pete Kirk, Pamela Kirt, Adam Erickson, Sheri Tye, Bryan Tye, Sherri Nielsen, Verli Hsang, Hans Keil, Irma Keil, Lydia Leon, Paty Leon, Liz Nielson, Adam S. Nielson, Craig Bohlen, Bob Douglas, Cindy Douglas, Jennilyn Moore, Julie Stauffer, Joyce Luker, Gret Butler, Kelly Harding, Jeff Webster, Ron Wilhite, Philip Holland, Jack Lucas, John Warren May, Robert Perry, LaRae Perry, Jana King, Chet Nichols, Wendell Coombs, Jeff Hockett, Jeanne Hockett, Kevin Olson, Aimee Newton, Luciana Saug, Marven Chandler, Patti Sims, Teresa Trujillo, Tonya Ferrin, Bart Ferrin, Kathe Lentz, Ernie Sweat, Brian Scacamps, Brooks Bradshaw.

**WELCOME:** **Commissioner Overson** welcomed those present, explained the process to be followed this evening and opened the meeting at 7:00 p.m. She outlined the items on the Consent Agenda and asked if there were anyone in the audience wishing to speak to any of them.

**CONSENT AGENDA**

1. Minutes for January 10, 2006	Approved as presented.
2. 7H06 – Okaneti Tonga – Beauty Product Sales – 1525 W. Alder Rd	Approved with staff recommendations. (On File)
3. 1C06 – Loyal & Linda Perry – Animal Hobby Permit – 2775 W. Hazelnut Drive (5820 S.)	Approved with staff recommendations (on file), adding stipulation that the animal breed is Pomeranian.
4. 2D06 – Stanley Cederbloom – Deep Lot Dev – 5073 S. 1130 W.	Approved with staff recommendations. (On File)

**There being no one wishing to speak, Commissioner Overson opened the Consent Agenda to the Commissioners for discussion or a motion.**

**MOTION:** **Commissioner Bolton** – I move for approval of Items 1 through 4 on the Consent Agenda as presented.

**SECOND:** **Commissioner Jensen** - I will second that and request an amendment to #3 that the animal breed is stipulated to be Pomeranian. **19:09:11 Commissioner Bolton** - That amendment is acceptable.

**VOTE:** All in favor.

**HOME OCCUPATIONS**

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| 5. 1H06 – <b><u>Goarik Sekepyan, 2286 W. Tottenham Court Road (4520 South)</u></b> – Family Day Care<br>Dan Udall/City Planner |
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[19:09:36](#)

5.1 **Mr. Udall** oriented on the site plan, aerial map and images. The applicant is requesting a family child day care home occupation for up to 12 children coming to the home per day. Proposed hours of operation are from 7:00 a.m. to 5:00 p.m., Monday through Friday. There is a one car driveway on the site (3 cars can park in tandem). Staff has received some calls in opposition. Staff recommends that the driveway be widened. [19:10:52](#) There are “no parking” signs along Tottenham Road Court. **Staff recommends approval subject to the following conditions:**

1. Receive approval from and remain compliant with all applicable reviewing agencies.
2. That a maximum of 12 children can attend the family day care home occupation each day. The designated number of children includes the caregiver’s own children who are under the age of six and are not yet in full day school. That hours of operation do not exceed 6:00 a.m. to 8:00 p.m.
3. The home occupation is subject to review upon complaint.
4. That the outdoor play area shall consist of a minimum of 40 square feet in area per child. That the hours of operation for the outdoor play area shall not exceed 8:00 a.m. to 8:00 p.m.
5. The outdoor play area shall be secured by an appropriate, well-maintained fence not less than four feet in height. This fenced in area includes a usable rear yard for the home.
6. The dwelling unit should provide an indoor play area at a minimum of 35 square feet in area per child.
7. **[Changed by Motion] “A minimum of two off-street parking spaces are provided for clients, customers or patrons in addition to required off street residential parking and the driveway is widened so that it contains a minimum of 360 square feet paved surface.”** ~~A minimum of two parking spaces shall be provided for clients, customers or patrons in addition to required residential parking. That the driveway is widened so it contains a minimum of 360 square feet.~~
8. A maximum of one name plate sign is allowed to be attached to the single-family home. The sign is allowed to be three square feet.
9. That the home occupation is clearly incidental and secondary to the use of the dwelling for dwelling purposes and does not change the character of the dwelling or property for residential purposes.
10. The dwelling unit and landscaped areas shall be well maintained.
11. That an additional employee attends the home occupation.
12. **[Changed by Motion] – That fencing is provided along the opening in the rear of the carport and that the fencing in the back yard is inspected and approved.** ~~That fencing is provided along the opening in the rear of the carport.~~

5.2 **APPLICANT ADDRESS:** **Goarik Sekepyan** was present to answer questions. **Commissioner Jensen** asked how high the fence in the backyard was and if there would be adequate lighting in place over the carport area for the safety of the children. **Mrs. Sekepyan** advised that the fence would be 6’ high and that there is lighting in place now. **Commissioner Barbour** wanted to know if the applicant lives in the home and was informed that she does. [19:13:04](#)

5.3 **SPEAKING:**

- **Ruth Westerfield** (Lives right next door). **Mrs. Westerfield** commented that this particular home has been for sale for some time now, that the fence in the back yard is falling down and in need of repair. The home is very small, with a very small kitchen, two bedrooms, one bathroom and no basement, which she felt was not adequate for this use. She also expressed concern over availability of parking on the site.
- **Judy Westerfield**. (Lives to the west of this site). She indicated her fence borders the property and is only 5’ on that side and there is no fencing that blocks the kids in. There had been mold found in the home at one time, which was a safety concern for the children. She felt that was too many children for that small of home and was opposed to this use.
- **Speaker** – name was inaudible. Said she lives at 2264 Tottenham Court Road, two homes down from this site. She agreed that the home was too small for this use. She also commented that the home had a problem with mold inside the walls. She also felt the street and the driveway to the home were too narrow to accommodate this number of vehicles.
- **Commissioner Overson** added that the Commission did receive letters in opposition from three individuals which contained comments in opposition due to the number of children in such a small home and the lack of adequate parking.

5.4 **DISCUSSION:** [19:18:30](#) **Commissioner Bolton** asked if there were a minimum requirement for indoor space per child and **Mr. Udall** replied that it was 35 square feet of indoor play area. [19:18:58](#) **Commissioner Overson** pointed out that with regard to how small or how large the structure is, the number of bathrooms, mold, etc., that other agencies have to review this before a business license is actually issued. **Commissioner Jensen** wanted to know if the percentage of a home that can be used as a home occupation was still one quarter of the total space. He made the comment because he had a concern with the whole main floor being used for this purpose, which if the basement is included in the total area, it would make the use being one half of the space for this use. [19:20:19](#) He wanted to make sure that this use was secondary and not the primary use of the home. [19:21:10](#) **Commissioner Bolton** calculated that with 35 square foot for each child, there would need to be 425 square feet of additional space. To be in compliance with the ¼ space requirement, the home would need to be over 1,600 square feet. **Mr. Norris** commented that there is no requirement in the Zoning Ordinance on the specific amount of space required within the home for this use. The intent of the ordinance is just to keep the home occupation from detracting from the primary use of the building. This is a determination the Planning Commission must make, because there is no ordinance for reference. **Commissioner Overson** expressed concern because one of the neighbors said that the applicant does not live in the home. [19:23:06](#) **Mrs. Sekepyan** explained that she does live in the home, that she loves children and would fix any problem that is anticipated, however, felt that the requirements should come from the Commission and not the neighbors. [19:24:05](#) That she has done a lot of remodeling work in the home and felt it is now suitable for child care. **Commissioner Barbour** commented that this same applicant applied for a day care on 2200 West and wanted to know if there were any complaints there. [19:25:59](#) **Mr. Maloy** advised that the applicant had moved from the 2200 West location prior to being operational. **Commissioner Overson** added that she felt that eight children would be more suitable and had concerns about there being enough off street parking available.

- 5.5 **CLOSED FOR COMMISSION DISCUSSION OR A MOTION:** **Commissioner Barbour** - I move that File 1H06 be approved with staff's recommendations. [19:29:19](#).  
**SECOND:** **Commissioner Jensen** - I will second that motion, with additions. I recommend Changing staff condition #7 to read, "A minimum of two off-street parking spaces are provided for clients, customers or patrons in addition to required off street residential parking, driveway is widened so that it contains a minimum of 360 square feet paved surface." Then on #12, "Fencing is provided along the opening in the rear of the carport and that the fencing in the back yard is inspected and approved. **Commissioner Barbour** - Good Additions. [19:30:01](#)  
**Commissioner Overson** restated the motion - We have a motion to approve File 1H06 with staff recommendations, amending #7 to include off street parking and #12 that the fence is provided in the rear of the carport and perimeter of the fence is inspected and approved.  
**VOTE:** All Commissioners voted in favor except Commissioner Overson who voted NAY because she felt 12 was too many children.

6. 4H06	<b>Cindy Sprouse – 2978 W. 4745 S. – Jewelry Sales.</b> Nick Norris/City Planner
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[19:31:06](#)

6-1 **Mr. Norris** oriented on the site plan, aerial map and images. The applicant is requesting a Class C Home Occupation Conditional Use Permit to sell jewelry from her home. Current has a home application with the city that does not allow customers to the home. The proposed hours of operation are 8:00 a.m. to 5:00 p.m. on Saturdays. Customers would be coming to the home throughout the day to attend a boutique type of event. The applicant has not indicated how many customers per day would be coming to the home but has proposed that up to 10 customers at a time may be at the home. No complaints were received from the neighbors. **Staff recommends approval subject to the following conditions:**

1. That the applicant receives approval and remains compliant with all applicable reviewing agencies.
2. That the applicant adheres to and remains compliant with Taylorsville Ordinances 13.57.050 Operational Requirements and 13.57.056 Specific Operational Requirements – Class C Home Occupation.
3. That the hours of operation are from 8:00 a.m. to 5:00 p.m. on Saturdays.
4. That customer visits are made by appointment only and staggered at least 30 minutes apart.
5. That only a name plate sign, attached to the main building and no larger than 3 square feet be allowed.
6. That only the driveway be used for customer parking.
7. That the conditional use permit is reviewed upon substantiated or unresolved complaint.

6.2 **APPLICANT ADDRESS:** **Mrs. Sprouse** was present and stated that the boutique will be held one Saturday a month. **Commissioner Overson** explained to her that parking was a concern and wanted to make sure she knew all parking for this use must be contained on the property and **Mrs. Sprouse** indicated she understood that was a provision for approval.

6.3 **SPEAKING:** None.

6.4 **CLOSED FOR COMMISSION DISCUSSION OR A MOTION.**

6.5 **MOTION:** Commissioner Smith - I move for approval of this application, based on staff's recommendations.

**SECOND:** Commissioner Bolton.

**VOTE:** All Commissioners voted in favor. Commissioner Barbour reiterated to the applicant the importance of keeping all client parking on site. 19:36:36

7. 5H06	<b><u>Day Gold, 5472 S. Hugoton Drive (2115 W.)</u></b> Electronic Sales & Service. (Michael Maloy/City Planner)
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19:36:51

7.1 **Mr. Maloy** oriented on the site plan, aerial map and images. This is essentially a computer repair and retail sales home occupation, with general electronic support and sales. The applicant has applied for permission to operate an electronic sales and service business. He intends to specialize in computer repair and sales. The proposed hours of operation are "24 hours a day" and presumably seven days a week (applicant did not indicate days of the week). He hopes to have more than five customers come to the home per day, however, only one customer at a time. There are some issues to be discussed relative to this use, however, Mr. Maloy did not receive any phone calls or written notices from the neighbors. Hours of operations would be 8:00 a.m. to 8:00 p.m., Monday through Saturday, with a minimum of five customers to the home per day. 19:39:30 **Staff recommends approval with the following conditions:**

1. Receive approval from and remain compliant with all applicable reviewing departments and agencies of the City (i.e., City Building Official, Fire Marshal, Business Licensing, etc.).
2. Applicant must comply with all applicable regulations for a Home Occupation Class C Permit (13.57.050 and 056)
3. Hours of operation shall be limited to 8:00 a.m. to 8:00 p.m., Monday through Saturday.
4. Meetings with clients shall be by appointment only and shall not overlap with other business appointments. Appointments should be separated by a minimum of 15 minutes.
5. **[Changed by Motion]** No more than five fifteen customers may come to the residence per day.
6. **[Added by Motion]** That this home occupation be reviewed upon substantiated complaint.

7.2 **APPLICANT ADDRESS:** Day Gold was present and questioned the number of customer appointments allowed. He would like to have permission to have two or three at a time and more than five customers per day. 19:41:20. He would be home all day and this would be his main occupation. He would either go to the customer's home or they would come to his. Commissioner Barbour asked if this home occupation would involve his conducting classes, to which he replied it would not. She expressed concern over the relatively high number of clients he proposed to have each day. Commissioner Bolton requested Mr. Gold to go into more detail as to what the business will involve. 19:43:54 Mr. Gold said the main portion would be computer repair. 19:45:44 Commissioner Barbour asked Mr. Gold if he planned to sell computer games over the internet and if so, would they be games he had created. Mr. Gold said he would be selling games but he had played no part in their creation. Commissioner Smith expressed concern that this was going to turn out to be more a commercial use than a home occupation. 19:48:31 Commissioner Barbour asked about storage issues and if there would be many delivery trucks coming and going in the neighborhood. Mr. Gold said there would be very little storage and the only delivery truck would be an occasional UPS truck.

7.3 **SPEAKING:** None.

7.4 **DISCUSSION:** Commissioner Barbour commented that this use possibly would be better served in a commercial zone. Commissioner Bolton was of the opinion that the applicant is unsure of exactly where the business will end up going and is trying to leave the application as broad as possible. 19:50:24 Commissioner Barbour felt that 36 clients was too many within a neighborhood setting. Commissioner Bolton agreed with putting a limitation number on the number of clients allowed while it is operating from his home. 19:50:36 Commissioner Jensen advised that Staff Recommendation #5 needs to be altered. It presently says "five customers coming to the residence per day". 19:50:40 Perhaps that would be better to say "five or ten appointments per day, separated by 15 minute intervals". Commissioner Bolton suggested 30 minute appointments over a 12 hour period, which would equate to 24 customers. 19:51:25 Commissioner Overson commented that Staff Condition #4 addresses the 15 minute break in between each appointment. She felt that even 24 customers as suggested by Commissioner Bolton

was too many. Her suggestion was to start this out smaller and if it becomes successful, to amend the application to accommodate the expansion.

7.5 **CLOSED FOR COMMISSION DISCUSSION OR A MOTION:**

7.6 **MOTION: 19:53:08 Commissioner Barbour - I move for approval of Application #5H06, changing Staff Condition #5 to accommodate 15 clients per day with at least 15 minute intervals in between. Also to add #6 that this would be reviewed upon substantiated complaint. Hopefully this will escalate into a great business, at which time the applicant would need to come back before the Planning Commission for expansion criteria.**  
**19:54:07**

**SECOND: Commissioner Jensen.**  
**Kristie - Restated.**

**VOTE: All Commissioners voted in favor with the exception of Commissioner Overson, who felt that 15 was too many for a home occupation.**

**GENERAL PLAN CHANGE**

8. 1G06 **Gold Medallion Homes, 2533 W. 6200 S.** – Recommendation to the City Council to Amend the General Plan Map From Low Density Residential to High Density Residential.  
(Michael Maloy/City Planner)

**19:55:32**

8.1 **Mr. Maloy** oriented on the site plan, aerial map and images. Gold Medallion Homes is requesting this General Plan change to facilitate a pending development proposal to construct 16 residential town houses with common open space. Each town house has an attached two-car garage accessible from a one-way private road that encompasses the property in a “U” shape. The question of these being three or two story homes is still unanswered. The height of the structures, density of the project, traffic safety concerns are all still at issue. Staff recommends approval of the application for approximately 1.36 acres of property at 2533 West 6200 South from Low Density Residential to High Density Residential (or Medium Density Residential if the Commission concludes a rational benefit from reducing the development density of potential land uses from 12 dwelling units per acre to 8.9 units per acre **20:01:43**

8.2 **APPLICANT ADDRESS: Philip Holland, Gold Medallion Homes.** **Mr. Holland** felt that their concept provides a buffer to the neighbors to the back from 6200 South. They have included a unique effect with the garages being rear loaded. **20:02:43**. He continued to say that they are aware of people’s concerns about bringing in town homes into this area but they feel this is a quality project and their architectural detail will enhance property values in the area even with the higher density. **20:04:12 Commissioner Bolton** asked if these were proposed to be three stories high and **Mr. Holland** advised they had not made that decision at this point in time but that the height will not be more than 35 feet. **20:04:49 Mr. Maloy** commented that the proposed heights for these structures conforms to the homes in projects surrounding this area.

8.3 **SPEAKING:**

1. **Jeff Webster.** **Mr. Webster** commented that the entrance to his property is near to this project and he was concerned about having more apartments instead of single family dwelling units. **20:06:08** He felt the conceptual designs looked nice but has found they often look much different when the actual construction is completed. He was very concerned that these types of projects depreciate very quickly and felt the developer was only in this to make money fast. He wanted to go on record as being opposed to this type of project on this site. **20:08:43**
2. **Adam Erickson – Mr. Erickson** lives directly north of this property and his reason for moving there a year ago was the open space. He preferred low density housing be on this site. **20:09:37**. He wanted to go on record as being opposed to this General Plan change.
3. **David Platt.** **Mr. Platt’s** back yard is adjacent to the property. He supported the City’s incorporation and said that during those discussions, zoning was a big issue. He does not want high density housing



on this location and felt that the City officials are no longer listening to the wishes of the citizens.  
[20:12:32](#)

4. **Greg Butler.** [20:14:54](#) This project directly impacts **Mr. Butler** due to sharing a common property line. He felt this is nothing more than a blatant in-fill project which violates the General Plan and is not compatible with the surrounding land use. [20:15:45](#)
5. **Ben Booth.** [20:16:41](#) **Mr. Booth** is an educator by profession and his preference was the single family residential subdivision previously planned for this site. [20:17:20](#) He felt that this project as proposed by Gold Medallion Homes is poorly planned with insufficient access points and no common areas to speak of. His opinion was that the proposal is not justified and is unwarranted.
6. **Lynn Ware.** **Mr. Ware's** lot abuts this property to the rear. He felt this high density housing project would adversely affect property values housing in the surrounding area. He is personally opposed to the number of streets that would border his property.
7. **Christine Stapley.** [20:20:26](#) **Mrs. Stapley** lives directly east of the lot and was opposed to having this project built there. Her biggest concern was the impact on traffic. She also would prefer the previously approved four-lot subdivision. [20:21:22](#)
8. **Jana King.** **Mrs. King** lives one street to the south. [20:23:01](#) Her concern was the density on such a small parcel of land and felt there was only room for the four lots previously proposed and approved. Her main concerns were the density, increase in traffic and impact on the safety of children.
9. **Ron Cameron, 2505 Tamara Drive.** [20:25:00](#) **Mr. Cameron** was against granting the zoning change and asked that all the neighbors in attendance who are against this proposal be allowed to stand. **Commissioner Overson** granted that permission. **Mr. Camerson** then asked the Commission to reject this request.
10. **Julie Soffer.** [20:26:55](#) **Mrs. Soffer** advised that she has lived in this area for eight months and was concerned about losing her privacy if this development is allowed. She asked that her opposition be included as part of the record.
11. **Doug Spencer.** [20:28:03](#) **Mr. Spencer** had a lot of concerns about the project and was totally against the proposal. He felt it would encourage room mates sharing in the cost of the units and that the site could not accommodate the amount of parking which would be required. He asked that the Commission listen to the comments from neighbors, all of whom seem to be opposed to this proposal for various reasons.
12. **Lisa Shorts.** **Mrs. Shorts** lives next door to the property. Her main concern was the insufficient amount of parking planned for this project. She was concerned that children would have to cross two driveways. She was concerned that the representative from Gold Medallion Homes did not seem prepared to address any of the neighbor's concerns this evening and felt the Commission was asking for trouble in granting approval of this application. [20:32:07](#)
13. **Dan Bell** (Edgewood Drive). [20:32:30](#) **Mr. Bell** felt the City was in violation of their de facto agreement with the citizens in arbitrarily changing the zoning for this project. He said that zoning laws were made to create order for a City and to change that would create chaos. He continued that the area is trying to maintain property values and felt that high density housing would have a negative impact on that.
14. **Jeff Hockett.** [20:34:23](#) **Mr. Hockett** asked that the Commission keep in mind the vision Taylorsville started in 1996 when they incorporated. At that time, they created a General Plan vision which took considerable time and thought in its preparation. In that vision, this area was looked at for low density housing. He asked the Commission to be true to that vision and disapprove this request by Gold Medallion Homes.
15. **John Billingsly.** **Mr. Billingsly** moved to Taylorsville to get away from high density housing and felt this was an older established area where that would not be a concern. He asked the Commission to listen to the neighbors and disapprove this project. [20:37:29](#).
16. **Spring Greenberg.** [20:37:57](#) **Mrs. Greenberg** commented that the citizens were promised that 6200 South would not be re-stripped and widened. The present Mayor broke that promise. **Mrs. Greenberg**

asked that the Commission make sure this is another broken promise to the citizens regarding high density.

8.4 **CLOSED FOR DISCUSSION:** **Commissioner Overson** [20:39:21](#) expressed concern about the negative feeling of the neighbors that these are going to be apartments and felt there were many really fine people who live in apartments for various reasons and was concerned about the negative perception. **Commissioner Jensen** [20:40:53](#) commented that what is being heard this evening is a recommendation to the City Council on a density change, which is entirely different from a conditional use. **Commissioner Smith** said that if the General Plan has any validity, it should not be changed without a great deal of thought and felt this area should be left as low density. [20:42:51](#)

8.5 **MOTION:** **Commissioner Bolton** - I propose the Commission submits a negative recommendation to the City Council for Application 1G06, General Plan Map Amendment from Low Density Residential to High Density Residential.  
**SECOND:** **Commissioner Jensen.**  
**VOTE:** All Commissioners voted in favor. Motion passes unanimously.

**Break at 8:40. Back at 8:50.**

### **ZONE CHANGE**

9. 1Z06 **Gold Medallion Homes – 6110, 6122, 6140 and 6150 S. Redwood Road.**  
Recommendation to the City Council to Amend the Zoning Map from R-M and A-1 to MD-3. (Michael Maloy/City Planner)

9.1 **Mr. Maloy** [20:50:23](#) oriented on the site plan, aerial map and images. The request is to amend the existing Zoning Map from A-1 Agricultural and R-M Residential to MD-3 Mixed Development, which will permit a maximum of 8.9 residential dwelling units per acre as a conditional use. The purpose for the amendment is to facilitate a pending development proposal to construct a 10,800 square foot office building that fronts onto Redwood Road with 12 residential town houses towards the rear (west) of the site. Staff Recommendation: Although the amendment is consistent with the current Taylorsville General Plan, Staff recommends continuance of the Zoning Map Amendment application to allow the applicant to respond to the concerns identified to them by Staff, the Planning Commission and any other relevant comments gathered during the public hearing this evening, i.e., adequacy of transportation system and best location for access points, which must be first discussed with UDOT. **Commissioner Overson** asked Mr. Maloy to talk about the mixed use and accessory use. [20:56:13](#) **Mr. Maloy** advised that the mixture of uses, i.e., commercial and professional office, could encompass the different uses being in one building like ground floor being commercial and second story being residential. That seems to be what the City's intent in creating the mixed development zone was. Where there is physical separation between the two uses on the property, staff raised the question about what the appropriate development density would be. Residential density should not be calculated based on the entire property because a portion of it is being exclusively used for the professional office. It is correct that there is more than one use on this property but it probably would be further subdivided and parceled as part of the twin homes plat. Therefore, it ultimately would not be a mixture of uses. The residential component at a medium density requires medium density be an accessory use to a permitted use. Staff questioned whether this application the way proposed really achieves that. **Commissioner Bolton** asked what the acreage was between the commercial and the office split. [20:56:58](#) **Mr. Maloy** advised that he did not know and suggested the applicant address that issue.

9.2 **APPLICANT ADDRESS:** **Philip Holland, Gold Medallion Homes.** [20:59:56](#) **Mr. Holland** advised that his company plans to base their headquarters in the commercial building fronting on Redwood Road, with mixed use in the rear. **Commissioner Overson** asked him if they had pursued acquiring the properties to the north and south of this site and Mr. Holland said they had but the costs were too high.

### 9.3 **SPEAKING:**

1. **Terry Fickens** representing the Baptist Church on the corner. [21:03:15](#) Their concern is the amount of traffic 76 additional parking space would add to an already congested area. He felt that UDOT had not planned on there being high density housing on this site when they took frontage off the church property. **Mr. Fickens** wanted to know if a traffic survey had been conducted and felt high density was not appropriate at this particular location.
2. **Bob Bedont - 6092 S. Redwood.** [21:07:13](#) **Mr. Bedont** felt that Mr. Holland and Gold Medallion Homes were respectable business people and felt a mixed use zone as proposed made sense.

However, he did not want this project to go through in isolation and felt it should be combined with other properties. He asked that this request be tabled in order to determine if that proposal is feasible.

9.4 **CLOSED FOR DISCUSSION:** [21:10:20 Commissioner Barbour](#) wondered if this does fit in with the General Plan. She agreed with Mr. Bedont that more assemblage of properties for inclusion in this project would be nice but did not see how it could be held up just for that purpose. [21:10:57 Commissioner Jensen](#) felt that this project needed more work, especially to determine the future of the whole corner and adjoining properties. He added that there are still many questions about access on 6200 South. He said the project had possibilities but felt that more work was needed and supported the proposal for continuation. **Commissioner Overson** agreed that more dialog needed to be opened with the surrounding property owners, especially in the area of cross access agreements.

9.5 **MOTION:** [Commissioner Bolton](#) - I will make a motion to continue Application 1G06 until the applicant has worked through issues discussed tonight and brought back at a time to be determined by staff and the applicant.  
**SECOND:** [Commissioner Jensen](#) - I will second that motion and encourage the applicant to continue dialog with the property owners to the north and south to reach a consensus of a mutually beneficial agreement.  
[Commissioner Overson](#) restated the motion: We have a motion by Commissioner Bolton to continue File 1Z06 in the hopes that there is more dialog with property owners to the north and south and to address safety concerns with regard to traffic, cross access easement and site plan issues.  
[21:18:18](#)  
**VOTE:** All Commissioners voted in favor. Motion passes unanimously.

#### **CONDITIONAL USE**

10. 46C05 <b>Ivory Homes, Approximately 3200 W. 6200 S.</b> – Proposed Residential PUD Containing 37 Units. (Preliminary) (Nick Norris/City Planner)
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10.1 **Mr. Norris** prefaced his remarks saying his presentation will address both Items 10 and 11, after which he gave a brief overview of the project. He advised that the site plan has changed slightly. [21:19:26](#) The dwelling units will be town homes with 3-4 units per building. The structures on the north side (referred to as the “uphill units” on the drawing submitted by Ivory Development, will be situated on a private road, including three units per structure and the south side structures (referred to as the “downhill units”) contain either three or four units per building. The residential development will be located on approximately 3.73 acres or 162,495 square feet). The residential development includes approximately 64, 272 square feet of open space, which is 39% of the site. A large open space area is located along 6200 South. A private road is proposed to run east and west between 3200 West and Cisco Ridge Road. The private road is approximately 36’ wide at the widest point. A cross section of the road indicates a driving aisle width of approximately 23 feet and includes parallel on-street parking and a 5-foot sidewalk along the north side of the road. The roadway includes striped cross walks with pedestrian “bulb-outs”. The commercial area is approximately 0.525 acres and will include a 6,132 square foot commercial building. Access to the commercial is proposed to be from 6200 South. A storage area and community mail box is located under the commercial pad. [21:19:01](#) **Staff recommends preliminary approval as proposed with the following changes and conditions:**

1. That the number of units be reduced to a maximum of 9 units per acre. The commercial land area and any area being dedicated to a public agency shall be separated out of the total residential land area.
2. That the road be made a public road and be dedicated to the City of Taylorsville. In doing so, the Planning Commission makes a recommendation to the City Council that the City grants an exception to the Highway Ordinance that would permit the road to be developed as indicated on the site plan.
3. That the perimeter of the commercial parking lot be buffered with heavy landscaping that includes vegetation of differing heights and a 2 foot high berm to adequately deflect the noise and clock the glare generated by vehicles in the parking lot.
4. That all lights on the commercial building and within the commercial parking lot be shielded so they do not shine into the residential area.
5. **[Changed by Motion] That the applicant works with the City Engineer to come to an agreement on the issue of the island, including whether or not there needs to be one installed.** ~~That the applicant installs an island in 6200 South that allows only right turn movements to and from Cisco Ridge Road and allows full access to Sierra Grande Drive. The applicant must obtain all required permits and post any required bonds and follow all City procedures.~~



6. **[Changed by Motion]** **That the applicant works with the City Engineer to come to an agreement on the issue of the island, including whether or not there needs to be one installed.** ~~That the applicant installs an island in 3200 West to allow right turn movements only to and from the private road. The applicant must obtain all required permits and post any required bonds and follow all City procedures.~~
7. ~~The applicant must design all walkways within the site so that they are ADA compatible, including any curb ramps.~~
8. That the City approves the storm drainage plan prior to final Conditional Use Permit approval.
9. The applicant installs a park strip along 3200 West.
10. The applicant installs a sidewalk along 3200 West that is consistent with the City Engineer's recommendations and that includes a crosswalk and ADA ramps at the intersection with the private road.
11. That the setbacks be approved as shown, with the exception of the 3200 West setback for the commercial structure, which shall be 20 feet and that the landscaping setback between the commercial access points be approved as shown.
12. **[Changed by Motion]** That the applicant installs a 3' 4' high decorative fence (suggested wrought iron construction) along 6200 South in front of the residential uses.
13. The applicant includes additional amenities in the open space area, including a tot lot, benches, waste cans and possibly picnic benches. These items should be indicated on the site plan submitted for final approval.
14. That if the tot lot is located in the southwest corner of the development, that a fence be installed along 3200 West and the private drive.
15. That no fences be installed along 6250 South that would eliminate the connectivity of Ivory Highlands Phase 10 and a note stating such be placed on the subdivision plat.
16. The access points to the commercial development be properly signed so that the western most access is an entrance only and the eastern access is an exit only.
17. That a detailed landscaping plan, including species, size at planting and size at maturity, be submitted for review by the Planning Commission at Final Conditional Use approval.
18. That the Planning Commission grants final approval.

10.1 **Commissioner Jensen** [21:31:30](#) asked Mr. Norris the status of the property to the east where the water tanks are currently located. **Mr. Norris** advised that he did not know.

10.2 **APPLICANT ADDRESS: Chris Gamvroulas – Ivory Development.** **Mr. Gamvroulas** explained in detail the changes included on the site plan this evening, including some adjustments to the elevations. That one of the east/west units had been turned and the tot lot had been moved away from 6200 South. He explained the traffic engineering analysis and advised that the asphalt surface would be 26' wide. [21:38:47](#) **Mr. Gamvroulas** reviewed his concerns with some of staff recommendations and disagreed with capping the density as he felt it was inaccurately figured. On Condition #2, he did not understand the need to make the road public. On Condition #10, relative to the sidewalk on 3200 West [21:46:02](#), the City Engineer's recommendation was that the sidewalk be only a 4% slope, which may not be within Ivory's control to rectify. For Condition #12, the decorative fence was not a problem but he wanted Mr. Norris to explain exactly what type of fencing they wanted there. **Mr. Norris** commented that the intent is mainly safety concerns because of where the common areas are located and Staff wanted some sort of physical barrier in place to keep the children off the road. It would only have to be tall enough to slow the child down and the type of material for the fence would be up to the developer. **Mr. Gamvroulas** was in agreement and suggested wrought iron be used so that the units could easily be seen. [21:47:21](#) He added that Ivory wants to do a great project here and in order to move forward would appreciate a positive recommendation tonight. The goal is to be in the development phase by April 2006.

- **Commissioner Barbour** asked if all the roads in Ivory Highlands were public and **Mr. Gamvroulas** advised they were. **Commissioner Barbour** then said it was apparent to her that the only reason for wanting the private road was to increase the density then. **Mr. Gamvroulas** said this project was different and he did not have a problem with making the road public but disagreed with decreasing the density in order to make that happen, saying that in 1998 the density was calculated for the whole site. [21:50:55](#) **Commissioner Barbour** said that under this plan, maintenance for that road would fall to the home owner's association, to which **Mr. Gamvroulas** agreed, adding that this portion was different in that the home owner's association in Ivory Highlands only maintained the common area. **Commissioner Smith** asked if the walkways would be concrete or asphalt and **Mr. Gamvroulas** advised they would prefer concrete but don't have strong feelings either way. [21:53:35](#) **Commissioner Jensen** asked if private roads were approved, how would the maintenance be handled and how would the home owner's association for this portion of the project work. **Mr. Gamvroulas** said the home owner's association would operate as a sub-association or twin association. There would be no financial

responsibility from one association to the other. This is not unlike any other mixed use development. Ivory Highlands residents presently pay \$55.00 a month and the owners in this new area will probably pay \$150.00 a month. [21:55:07](#) **Commissioner Jensen** asked if the design is for nine units per acre and **Mr. Gamvroulas** [21:56:55](#) said they were waiting for the results of the hearing this evening for the final design, however, the density of 37 really nice units will work best. **Mr. Gamvroulas** added that he has a fundamental disagreement with **Mr. McGrath's** administrative ruling that a PUD containing multiple family dwelling units is a conditional use in a C-2 zoning designation with a maximum residential density of 9 units per acre.

#### 10.3 **SPEAKING:**

1. **Brooks Bradshaw** [21:59:55](#) **Mr. Bradshaw** said that he was one of the last to purchase in Phase 10 and then received the surprise that there is a 37 unit project being proposed nearby. He was okay with the City proposal for 27 units, was okay with separating the two home owner associations and was okay with the proposed look of the buildings, however, asked that the Commission stick with staff recommendations.
2. **Ryan Christensen** (Lives on Cisco Ridge). [22:03:05](#) **Mr. Christensen** said that if Cisco Ridge is made to have right turns only, all the traffic would go down Matterhorn and access into Phase 10, would be a problem. He would like to see the intersection realigned with Sierra Grande across 6200 South to alleviate some of the anticipated traffic problems. He would like to see the road go in as public and let the City maintain it. Also that the impact on the park be addressed suitably.
3. **Mike Hadlock, Andes Way**. (Home Owner's Association Board) [22:05:56](#) The Association is supportive of staff's recommendation limiting the use to 9 units per acre. Also that the road should be public standard and maintained by the City. He reiterated that during the last meeting on this project, the neighbors expressed overwhelming concern about the high density being proposed. He said that Ivory does a good job on their projects but that the density for this one is too high.
4. **John Malgrove** [22:09:05](#) **Mr. Malgrove** commented that he had purchased his home within Ivory Highlands with a promise that did not include these town homes and felt that Ivory Homes had lied to them. Bought that home with a promise that did not include the town homes. He felt that Ivory Development had lied to them. [22:10:58](#) He did not understand why this was brought back to the Commission after they had voted in opposition to the density of 37 units and it still has the same private road. He saw no justification to have a private road come off of a public road. He asked that the Commission not approve this project as proposed.
5. **Mr. Gamvroulas** [22:12:27](#) clarified that no plan had been rejected by the Commission as professed by Mr. Malgrove. That hearing was for conceptual review and no vote was taken and density was not addressed by the Commission. Commissioner Overson stipulated on record that that was correct.
6. **Ryan Shrimp**. **Mr. Shrimp** also commented that nothing has changed on this project from the last hearing. His opposition to this development was because of the negative impact it would have on the children playing in the park. He was also in opposition to the density of 37 units and wanted to see the numbers from a professional traffic count before any final decision was made. He proposed installation of a speed bump to slow down the traffic and wanted the wall brought back between these two projects. [22:19:36](#). He felt there were too many problems still existing to be able to reach any decision this evening and asked that it be continued for further study.

10.4 **DISCUSSION:** **Commissioner Bolton** asked what the original density was for Ivory Highlands, Phases 1 through 9 and Mr. Norris said 1-9 would not include the 49 units that are in Phase 10, which leaves 324 total units in Phases 1-9. Phase 10 was approximately 10 acres, which equates to just over three units per acre. **Commissioner Overson** commented that there were two issues, density and whether the road is public or private. She felt that 37 units as proposed by Ivory for this project is too many and based on findings of fact in the staff report felt that nine units per acre was more appropriate. That all of Ivory Highlands is a public road development and she saw no reason to have an exception for a private road in this portion. **Commissioner Barbour** did not have as much of a problem with the density as the road being established as a private road and felt it must be a public road built to standard specifications. [22:24:37](#) **Commissioner Bolton** added that there is also insufficient parking being allocated for guests, which must be addressed. **Commissioner Jensen's** [22:25:34](#) thoughts were that the road needs to be public and the rest of the issues were minor and could be worked out with the developer. **Commissioner Overson** asked Mr. Norris if it is possible for the Commission to receive copies of the CC&R's and some point during this process. **Mr. Maloy** advised that it hasn't been traditionally something that is asked for but

that the City Engineer is now suggesting that be included so that the City can see how the home owner's association are addressing maintenance of common open space. **Commissioner Overson** wanted to know at what point in the process that would be requested. **Mr. Udall** advised that he has requested them at the PUD stage. [22:29:19](#) **Mr. Norris** recommended at this point that the subdivision be continued until the PUD is approved.

- 10.5 **MOTION:** [22:31:46](#) **Commissioner Jensen** - I move for approval of Conditional Use Permit 46C05 with staff recommendations, 1 through 18 as listed, with an alteration to #12 that the fence along 6200 South be at least 4' high, possibly made of wrought iron, something to prevent children from running out on to 6200 South and also prevent undesirable folks from coming in and creating problems. I would like to see #12 changed so that the fence matches the perimeter of Ivory Highlands. **Mr. Norris** asked that be restated for clarification. **Commissioner Jensen** - My intention is that I think a 3' high fence along 6200 South is not high enough, especially with people walking along the sidewalk. I think that the nice fences along Ivory Highlands should be continued along the north side. Just something that is different and more substantial than a 3' high fence. We have concerns about home occupations for child care where they have to have a minimum of a 4' high fence and I am just concerned for the children's safety. **Mr. Norris** - The rest of Ivory Highlands has a 6' high vinyl fence, is that your intent? **Commissioner Jensen** - That would be preferred but I would agree to a 4' high wrought iron fence, something more substantial. That is my motion. **Commissioner Overson** - I am confused about your fence issue. You want it to be consistent but that would mean a solid vinyl fence. **Commissioner Jensen** - Whatever the Commission wants. I just don't think a 3' high fence is adequate for the purpose. **Commissioner Overson** - I understand that you want it to be 4' high instead.
- SECOND:** [22:35:23](#) **Commissioner Bolton** - I will second that motion with a modification to staff recommendation #5 in reference to the islands installed in 6200 South to limit the traffic movements. I think we have a difference of opinion in professional engineers between the City and the applicants. Instead of saying that it must be installed, to reword that to have the applicant work with the City Engineer to come to some kind of professional solution. I am not in favor of the islands and feel it will create more traffic issues and I do not want to direct more traffic down through the subdivision. There is a difference I professional opinions, which needs to be worked out more relative to the installation of an island. **Commissioner Overson** - Are you talking about staff recommendation #5 only or would that be #5 and #6? **Commissioner Bolton** - Correct, that would be #5 and #6.
- Commissioner Overson** restated the motion: [22:37:00](#) We have a motion to approve File 46C05 with staff recommendations, modifying recommendation #12 to specify a 4' high fence, recommendations #5 and 6 so that the applicant will work with the City Engineer and Staff to come to an agreement on the issue of the island, including whether or not there even should be an island. She felt the fence height should be 3' and should be made of wrought iron and look open and inviting. **Commissioner Jensen** - My recommendation to increase the fence height to 4' is that a 3' high fence can be easily stepped over by an adult and I would like the 4' height left in the motion as a safety concern for the children and am supportive that it be wrought iron. I accept the change to staff recommendations #5 and #6 as proposed by Commissioner Bolton.
- Mr. McGrath** [22:39:18](#) - For clarification, there has been some discussion about capping the number of units at 27. That number was based on an estimate of what the future road may be in terms of area. It could change one way or the other depending on the final configuration of the road. The density will be based on nine units per acre rather than capping it at any specific number at this point. I would like to request the Planning Commission reference the findings of fact as identified in the staff report and also request the Commission identify in the approval the additional findings of fact that Mr. Norris supplied as Exhibit G (Copy filed with Minutes).
- VOTE:** All Commissioners voted in favor, with the exception of Commissioner Overson, who felt the fence should be 3' instead of 4' in height. Motion is approved 4 to 1.

#### **SUBDIVISIONS**

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| 11. 5S06 <b>Ivory Homes – Approximately 3200 W. 6200 S</b> – 37-Lot Residential Subdivision (PUD)<br>(Preliminary) (Nick Norris/City Planner) |
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[22:43:45](#) **Mr. Norris** recommended continuing the subdivision application pending the final approval of the conditional use permit and site plan. **Mr. Gamvroulas** offered no objection to continuing the subdivision application as noted by staff. [22:44:45](#)

- 11.1 **SPEAKING:** No one came forward wishing to speak.

- 11.2 **MOTION:** Commissioner Bolton - I will make a motion that Application 5S06 be continued until such time that the site plan is approved.  
**SECOND:** Commissioner Barbour  
**VOTE:** All Commissioners voted in favor. Motion passes unanimously.

12. 2S05 Kevin Olson, 4907 S. 1175 W. – 4-Lot Subdivision. (Preliminary) (Dan Udall/City Planner)

12.1 **Mr. Udall** 22:45:46 oriented on the site plan, aerial map and images. **Staff recommends approval subject to the following conditions:**

1. Receive approval from and remain compliant with all applicable reviewing agencies.
2. That any subdivision amendments proposed after the initial recordation are reviewed and approved by the Planning Commission. The amendment must then be recorded.
3. That all lots are a minimum of 10,000 square feet.
4. That the project receives storm drain approval from the city engineering department and pays all applicable storm drain fees.
5. That any street lights are installed as required by the city engineer.
6. That the subdivision is recorded by plat and that the plat complies with City Ordinance 12.16.010. That a portion of 1175 West be dedicated to the City as part of recording the subdivision.
7. That the subdivision plat is recorded along with any notes on the plat as are required by the Planning Commission.
8. That City planning staff approves the final subdivision plat.
9. That Lot 3 increases in size, which will reduce the size of Lot 1 to 10,000 square feet.
10. That all street improvements required by City ordinance will be installed to City standards along 1175 West. This includes sidewalk, parkstrip, curb and gutter, street surface and tie-ins.
11. That two trees are planted in the parkstrip for Lots 2, 3 and 4 along Turnberry Way which would meet the City's General Plan. That the trees are a minimum of 2" in caliper.
12. That staff works with the applicant in regards to saving appropriate existing trees on the site.
13. That the ditch along 1175 West is covered.
14. That the site is cleaned up by February 28, 2006 and complies with all City regulations.

12.2 **DISCUSSION:** Commissioner Overson asked why there was no requirement to also plant trees along 1175 West and **Mr. Udall** answered that the City Engineer said there will be a culvert located there, which would prevent the planting of trees.

12.3 **APPLICANT ADDRESS:** Kevin Olson 22:50:07 **Mr. Olson** said he had begun cleaning up the property and found most trees were very old and probably not salvageable. Also that the existing home is in extremely poor shape and will need to be demolished. **Mr. Olson** advised he had read staff's recommendations and had no problems with any of them. **Commissioner Overson** asked what provisions were being made for the irrigation ditch and **Mr. Olson** advised that the ditch would be piped and that the curb and gutter would go to the outside of the ditch, with a 50' right of way being dedicated to the City of Taylorsville.

12.4 **SPEAKING:**

1. **Scott Meyer.** (Lives on Turnberry Way). **Mr. Meyer** wanted to know if the private road was included in the amount of acreage and was assured by **Mr. Udall** that it was not. **Mr. Meyer** then expressed concern for the safety of the children in regard to the ditch and advised he was not sure Mr. Olson could pipe that ditch without permission from the Canal Company. With piping the ditch, he was concerned about how it would be kept clean. Another problem he had with this development was that these lots are smaller than others in the area and questioned the density. He said he would be supportive of this proposal if the issues of the curb/gutter and ditch access can be adequately addressed. 22:58:31
2. **Mitzie Kelly.** 23:00:40 **Ms. Kelly** was apprehensive about the square foot age of the homes being smaller than those already in place in the neighborhood and felt like four homes on that lot would be too dense. She supported piping the irrigation ditch between Turnberry Way and the private road and also the installation of a sidewalk.

12.5 **DISCUSSION:** Commissioner Overson commented that she was concerned that the City does not have an ordinance preserving historic homes because as deplorable as that home may be, it is still a piece of the City's history. However, she was supportive of this development and felt it was appropriate for that particular parcel. She asked Mr. Olson what the home sizes would be and was informed that they would be 1800 to 2200 square foot

ramblers. **Mr. Olson** advised that his plans were to sell three of the lots and development one with a home on it for himself. [23:07:43](#)

- 12.6 **MOTION:** [Commissioner Bolton 23:08:08](#) - I move for approval of Application #2S06 as outlined in staff report including the 14 staff recommendations.  
**SECOND:** [Commissioner Jensen](#).  
**VOTE:** All Commissioners voted in favor. Motion passes unanimously.

13. 3S06	<b><u>Jack Lucas – 1276 W. Winchester, 1286 W. Winchester, 6615 S. 1300 W., and 6647 S. 1300 W.</u></b> (Michael Maloy/City Planner)
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13.1 **Mr. Maloy** [23:09:23](#) oriented on the site plan, aerial map and images. This is an amendment to the preliminary site plan heard in December 2005. **Staff recommends preliminary approval with the following conditions:**

1. Planning Commission shall review subdivision plat for final approval.
2. Receive subdivision approval from all applicable regulatory authorities such as the City Engineer, Unified Fire Authority, Taylorsville-Bennion Improvement District, Salt Lake Valley Health Department and Salt Lake county Recorder's Office.
3. Provide sufficient roadway for vehicle backing movements at 6428 S, 1272 W., and 1248 W.
4. Final plat shall include notations that all roadways are private and that Taylorsville City is not responsible for maintenance of private roads.
5. Final approval of the Winchester Overlook Subdivision shall be contingent upon final approval of corresponding conditional use permit (CUP #25C05) and plat shall not be recorded prior to issuance of said permit. Open space plan and amenities shall be consistent with conditions of CUP.
6. Submit for City review a copy of proposed codes, covenants and restrictions (CC&R's) to ensure proper maintenance of common space.
7. Applicant shall pay all applicable subdivision application and impact fees prior to plat approval.

13.2 **APPLICANT ADDRESS:** **Jack Lucas**. [23:16:42](#). There is now a varied streetscape and different buildings. **Mr. Lucas** and his partners expressed willingness to continue to work with City Staff. We are willing to continue to work with City Staff. He advised that they are also working well with Prolifica. **Commissioner Overson** said she is still concerned about proper drainage and the grading plan. **Mr. Maloy** felt there were no significant problems and that staff is willing to work with Mr. Lucas to mitigate any subsequent issues.

13.3 **SPEAKING:**

1. **Marilyn** (no last name given). She lives in the town homes adjacent to this development. She wanted to know where the entrance would be off of Winchester. She was concerned about the increase in traffic this will create and wanted to know who would maintain the trees which are to be planted and who will keep the sidewalk clear in the winter. [23:21:50](#).
2. **Wendell Kunz** – (Lives in Murray Bluffs). His concern was also the increase in traffic and had questions about the annexation prospects for this area into Murray City. [23:25:29](#) He was not happy about the change in zoning there to high density and felt the developer was just trying to crowd too many units into that small area. Doesn't want to lose the country feel of the area.
3. **Kevin Olson** was concerned with the alignment of the access.

13.4 **DISCUSSION:** **Commissioner Overson** asked Mr. Maloy to address the traffic concerns. **Mr. Maloy** [23:29:05](#) said that the access point from Winchester will be directly across from the Hamlet Homes project (Braemore). If the access were offset, it would be too close to the intersection to meet City engineering standards. Also, the City has required improvements along Winchester and 1300 West, to include curb, gutter and park strip. A trail system is being coordinated along 1300 West, which purportedly will turn down towards the Jordan River Parkway. There will be a dedicated right hand turn lane and a dedicated left turn lane as you are going westbound on Winchester approaching 1300 West. Essentially there will be some dedication taking place on the Prolifica portion of this project to accommodate for that. With regard to tree maintenance, the adjacent property owner has that responsibility. [23:31:34](#) There is also in the process a possible boundary adjustment between Taylorsville, West Jordan City and Murray City. All three cities have adopted resolutions to hold a public hearing to consider a boundary adjustment. Essentially right now, those cities have agreed to look at the area south of Winchester Street. This



project may also be transitioned into Murray due to the need for water and sewer service. However, that resolution has not been adopted by Taylorsville as of this date.

- 13.5 **MOTION: Commissioner Barbour** - I move that we give preliminary approval to File #4S06 for a residential PUD with recommendations 1 through 7 as laid out by staff.  
**SECOND: Commissioner Bolton**  
**VOTE: All Commissioners voted in favor. Motion passes unanimously.**

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| 14. 4S06 <b>Ronald Daw – Prolifica LLC</b> - 1280 W. Winchester St and 6657 S. 1300 W. 20 Unit Single-Family Attached Residential PUD. Michael Maloy/City Planner) |
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14.1 **Mr. Maloy 23:35:09** oriented on the site plan, aerial map and images. **Staff recommends approval with the following conditions:**

1. Planning Commission shall review subdivision plat for final approval.
2. Receive subdivision approval from all applicable regulatory authorities such as the City Engineer, Unified Fire Authority, Taylorsville-Bennion Improvement District, Salt Lake Valley Health Department and Salt Lake County Recorder's Office.
3. Final plat shall include notations that all roadways are private and that Taylorsville City is not responsible for maintenance of private roads.
4. Subdivision name must not be identical to the Signature Development project, Winchester Overlook.
5. Final approval of the subdivision plat shall be contingent upon final approval of corresponding conditional use permit (CUP #37C05) and plat shall not be recorded prior to issuance of said permit. Open space plan and amenities shall be consistent with conditions of CUP.
6. Submit for City review a copy of proposed codes, covenants and restrictions (CC&R's) to ensure proper maintenance of common space.
7. Applicant shall pay all applicable subdivision application and impact fees prior to plat approval.

14.2 **Commissioner Overson** asked Mr. Maloy if he were confident that all issues are working out for this project and **Mr. Maloy** said the engineering issues were being worked out between the City and the applicants. The only thing different tonight is that the plats for both projects were labeled with the same name and one must change that before final approval.

14.3 **APPLICANT ADDRESS: Jim Allred** was present representing Prolifica. **23:38:09** He indicated that this project is moving forward in a positive direction and asked the Commission to be able to work out any final issues with staff. **23:39:33**

14.4 **SPEAKING: Wendell Kunz. 23:40:46 Mr. Kunz** advised that the increase in traffic is a major concern for him. Also to make sure that both of these projects can retain their waste water on their site and not have it run off into the neighboring subdivisions. **23:42:14 Mr. Lucas** advised that both projects will be using a storm water system which will minimize the need for retention on site.

14.5 **CLOSED FOR COMMISSION DISCUSSION OR A MOTION.**

- 14.6 **MOTION: Commissioner Barbour 23:43:41** - I move that we approve File #4S06 for a single family attached residential planned unit development with staff's recommendations 1 through 7.  
**SECOND: Commissioner Bolton**  
**VOTE: All Commissioners voted in favor. Motion passes unanimously.**

#### **DEEP LOT**

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| 15. 1D06 <b>Nestor Gomez – 2271 W. 4805 S.</b> – Deep Lot Development Permit to Construct a Single Family Residence. (Michael Maloy/City Planner) |
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15.1 **Mr. Maloy 23:44:37** oriented on the site plan, aerial map and images. The proposed residence will incorporate a "rambler" design and will have a stucco finish with asphalt roof shingles. The lot measures 12,318 square feet and fronts on a public right-of-way. **Staff recommends approval with the following conditions:**

1. Receive approval from all applicable agencies of the city such as the City Engineer, Building Official, Unified Fire Authority, etc.
2. Applicant shall provide all documentation, signatures and fees necessary to abandon the existing right-of-way easement (for the modified hammerhead) on the subject property.
3. Private drive shall be marked as a fire lane and posted with a permanent sign stating, "NO PARKING – FIRE LANE" (International Fire Code D1036).
4. Under direction of the Planning Commission, staff shall administrate final review of the application.
5. Emergency Vehicle modified hammerhead.

15.2 **DISCUSSION:** [23:47:58](#) **Mr. Maloy** commented reference Staff condition #5, that the modified hammerhead was required at initial approval stage, however, the current fire inspector says it is not required because the property line is not more than 150' away from the public right-of-way. Therefore, the applicant desires to go through a process of abandoning that private right of way and not build the turn around. Staff had required the Fire Department to provide a letter saying they would support that abandonment because the site plan as proposed by the applicant is not possible if he has to accommodate the modified turn around. Staff is confident that is possible and is in receipt of the requested letter from the Fire Department on that issue. **Commissioner Overson** asked for clarification on the retention ponds. **Mr. Maloy** said the purpose was just to retain water and there is a positive overflow towards the private road. **Commissioner Overson** commented that the 20' right of way does not appear on the site plan and she just wanted to make sure that they don't interfere with each other.

15.2 **APPLICANT ADDRESS:** **Nestor Gomez.** [23:50:42](#) **Mr. Gomez** said the only question he had was relative to the private road versus driveway. He wanted to call it a driveway and plant trees along there. That way he felt it would not have to be the full 20' width. **Mr. Maloy** advised him that the 20' wide road is required by the Fire Department. That it must be 20' wide and must be paved. There can be trees planted along there but it cannot reduce the asphalt area.

15.3 **SPEAKING:** None.

15.4 **CLOSED FOR COMMISSION DISCUSSION:** None.

15.5 **MOTION:** **Commissioner Bolton 23:53:15 - I recommend approval of Application #1D06 with staff's recommendations and findings of fact**  
**SECOND:** **Commissioner Barbour**  
**VOTE:** **All Commissioners voted in favor. Motion passes unanimously.**

**ADJOURNMENT:** By motion of **Commissioner Bolton**, the meeting was adjourned at [23:54:33](#).

Respectfully submitted by:

Jean Gallegos, Administrative Assistant to the  
Planning Commission

Approved in meeting held on May 9, 2006.